

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC,
*et al*¹
Debtors.

Chapter 7

Case No. 23-10253 (KBO)

(Jointly Administered)

Related Doc. No.: 150, 541, 542

**ORDER GRANTING TRUSTEE'S APPLICATION TO EMPLOY
ARNOLD & PORTER KAYE SCHOLER LLP AS SPECIAL COUNSEL TO
THE TRUSTEE AND FOR RELATED RELIEF**

Upon consideration of the *Trustee's Application to Employ Arnold & Porter Kaye Scholer LLP as Special Counsel to the Trustee and for Related Relief* (the "Application")², and pursuant to the Sklamberg Declaration submitted in support of the Application and the Supplemental Declaration of George L. Miller in Support of Trustee's Application for Approval of Retention of Arnold & Porter, Kaye Scholer LLP as Special Counsel for Regulatory and Compliance Matters (the "Trustee Declaration"); and the Court being satisfied that Arnold & Porter does not represent or hold any interest adverse to the Trustee, the Debtors, or the Estates regarding the matters for which Arnold & Porter is to be employed; and the Court having found and determined that the relief sought in the Application is in the best interests of the Estates, their creditors and all other parties in interest and that the legal and factual bases set forth in the Application, the Sklamberg Declaration and the Trustee Declaration establish just cause for the relief granted herein; and the Court having determined that notice was adequate under the circumstances and that no further

¹ The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23-10255. The Debtors' headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

² Unless otherwise defined in this Order, capitalized terms shall have the meanings provided in the Application.

notice is necessary; and any objections to the requested relief having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing thereof,

IT IS HEREBY ORDERED THAT:

1. The Application is granted, as set forth herein.
2. Pursuant to section 327(e) of the Bankruptcy Code, the Trustee is authorized to employ and retain Arnold & Porter as his special counsel, effective as of February 23, 2023, to provide the legal services set forth in the Engagement Agreement.
3. Pursuant to section 328 of the Bankruptcy Code, the Trustee is authorized to compensate Arnold & Porter on an hourly basis for time spent in accordance with the terms and provisions of the Engagement Agreement, and to reimburse reasonable and necessary out-of-pocket expenses incurred by Arnold & Porter in connection with its representation of the Trustee.
4. Arnold & Porter shall file applications and be compensated and reimbursed for expenses in accordance with Sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and such other procedures as may be fixed by order of this Court.
5. Notwithstanding anything in the Application to the contrary, Arnold & Porter shall (i) to the extent that Arnold & Porter uses the services of contract attorneys, independent contractors or subcontractors (collectively, the “Contractors”) in these cases, pass through the cost of such Contractors at the same rate that Arnold & Porter pays the Contractors; (ii) seek reimbursement for actual costs only; (iii) ensure that the Contractors are subject to the same conflicts checks as required for Arnold & Porter; and (iv) file with this Court such disclosures required by Bankruptcy Rule 2014.

6. The Trustee is authorized to take all action necessary to implement this Order.
7. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: July 18th, 2023
Wilmington, Delaware


KAREN B. OWENS
UNITED STATES BANKRUPTCY JUDGE